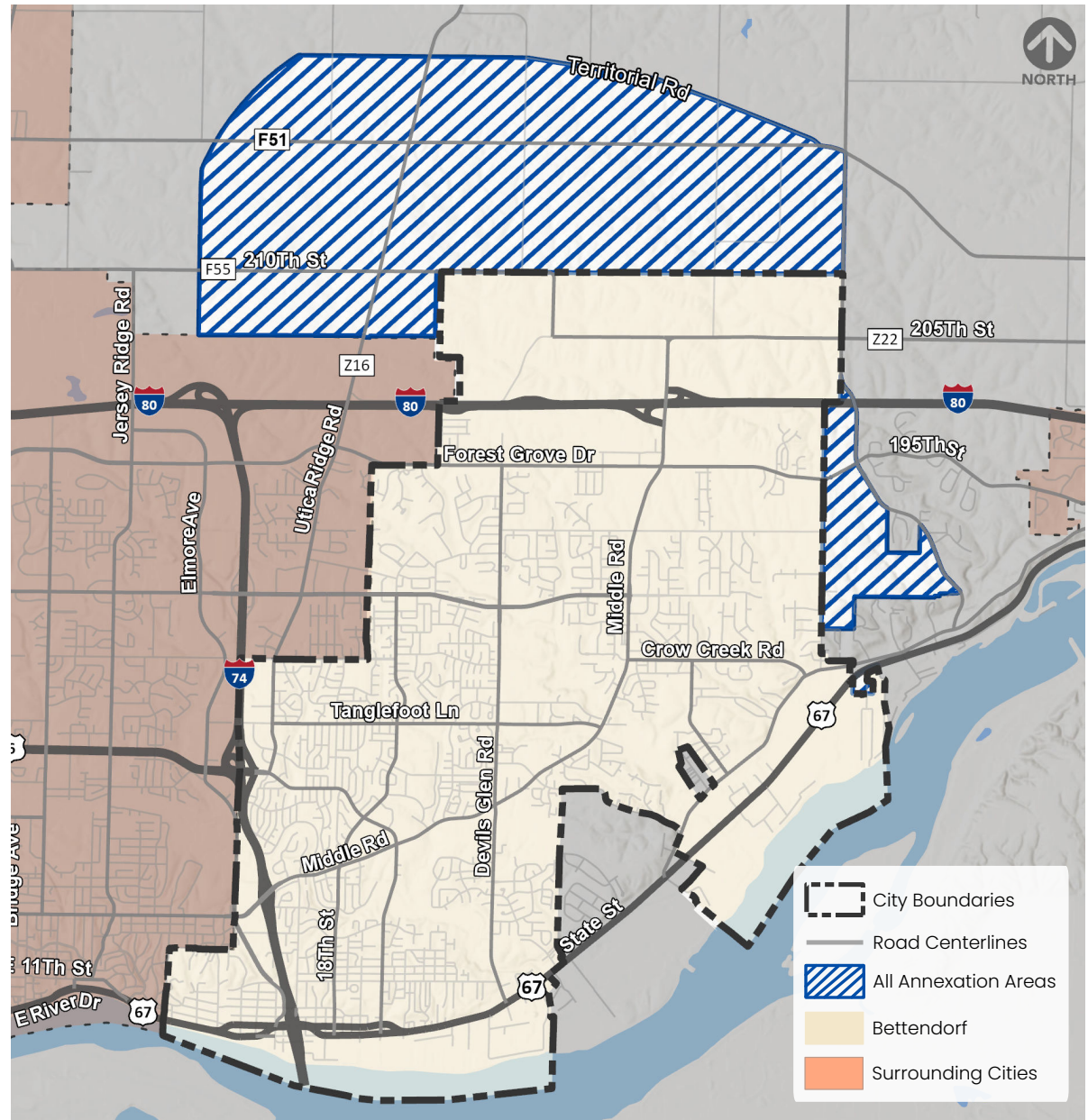


Annexation

The Annexation Map shows potential long-term future annexation areas for the City of Bettendorf. The City should continue to work with its neighbors, Scott County, City of Davenport, City of Eldridge, and City of LeClaire, to establish/update annexation agreements.

Changes from the previous Annexation Map published in past plans include a large addition west of Utica Ridge Road and undeveloped areas located east of Criswell Street. Each of these areas have the potential to be served by sanitary sewer based on topography present and align with future development trends outlined in this plan.

MAP 1.8 - ANNEXATION MAP



Source: RDG Planning & Design



ANNEXATION STRATEGY



ACTION 5: Use the Annexation Map (Map 1.8) and the 7-point annexation strategy to guide annexation decisions.

Map 1.8 identifies Bettendorf's potential long-term annexation area. Bettendorf currently has more than enough land to accommodate growth in the next 20 years (about 6,000 acres are available and approximately 4,500 are needed for planning purposes). Therefore, these areas represent long term interests and should not be annexed until the need for additional land is more imminent.

When the need for additional land arises, the city should use the following annexation strategy:

1: Pursue Voluntary Annexation

Bettendorf should use the "voluntary annexation" provisions of Iowa annexation law (including the 80/20 rule, see below) and avoid annexing areas under "involuntary" procedures. The drawbacks of involuntary annexations include:

- » More complex annexation process
- » Confrontation with land owners
- » Susceptibility to court challenges
- » Costly extension of city services mandated within a short time period, even if development is not imminent

The benefits of voluntary annexation are:

- » Allows city to promote areas for development without having to install costly infrastructure ahead of that development. The annexation/ infrastructure extension plan becomes a negotiated process between the property owner, developer, and the city.
- » Does not require the city to pick "winners and losers" among potential annexation areas. Instead, the private market determines development timing and location.
- » Simpler process, less controversial.

To make the voluntary annexation approach work the city must:

- » If necessary, use the 80/20 rule for voluntary annexation, which allows up to 20% of the total annexed area to be included without consent from property owners. This allows for the "squaring off" of annexation areas to logical boundaries to avoid the creation of unincorporated "islands", which are not permitted by state law. While full consent from property owners is ideal, there may be situations where the 80/20 rule is necessary to follow state laws, and achieve long term city goals.
- » Enact Parts 2-7 of this strategy.

2. Only Annex as Needed

Bettendorf should annex land only as the need arises. (As of the writing of this plan, Bettendorf has enough land in city limits to accommodate the next 20 years of projected land need.) By only annexing what is needed, when it is needed, the city avoids unnecessary maintenance of infrastructure and potential conflicts with land owners. This approach must be coupled with the creation of annexation agreements (see following page), in order to protect the city's long-term growth areas.

3. Initiate Outreach to Property Owners

Initiate ongoing communication with owners of properties in the long-term annexation areas (Map 1.8). Communicate the potential benefit of annexation: The extension of city services/infrastructure greatly enhances the development potential of the land and maximizes its sale value.

4: Negotiate Development Agreements

Development opportunities in the annexation priority areas should be pursued on a "negotiated development agreement" basis, with zoning, infrastructure extensions, and any applicable development incentives as part of the negotiation process. The Future Land Use Map should serve as the guide for uses within the annexation areas.



5. Wait to Zone

Annexation areas should not be zoned for future uses until the areas are voluntarily annexed and a negotiated development deal is accomplished. Discussion of appropriate zoning, consistent with the Future Land Use Map, should be a part of the negotiation process.

6. Prioritize Contiguous Parcels

Annexation priority should go to parcels contiguous to current city boundaries. It is not recommended to annex property that is not contiguous to current city property, and would not be permitted by state law in most circumstances.

7. Create Annexation Agreements



ACTION 6: Work cooperatively with Scott County, the City of Davenport, and the City of LeClaire to create annexation agreements.

An annexation agreement establishes future annexation boundaries between neighboring municipalities. The benefits of an annexation agreement include:

- » Establishes common understanding between municipalities and avoids future conflicts.
- » Identifies which areas can be best served with infrastructure by each municipality.

- » Discourages cities from annexing property prematurely, before development is imminent. Without an annexation agreement, cities might annex property solely to protect their long-term interests. The downfall is that the city is now required to maintain streets and land that may not experience urban development for decades to come. This results in an inefficient use of city resources.

Annexation agreements are established as an intergovernmental agreement, as allowed in Chapter 28E of the Code of Iowa.

This strategy also requires working with the County to ensure that the County Land Use Plan discourages inappropriate uses in the city's growth areas. The city may also wish to seek development review authority for unincorporated land in the city's long-term growth area.